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Docket No. 7562

REMARKS

This is in reply to the Office Action mailed on March 26, 2003 (Paper No. 6).

Claims 1-20 are pending.

Claims 1-20 are rejected under 35 U.S.C. §§ 102(a) and 103(a) over U.S. Pat. No. 6,313,246

(Carter).

No claims are amended.

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DISCUSSIONThe Rejection of Claims 1-20 under §§ 102(a) and 103(a) over Carter

Claims 1-20 are rejected under 35 U.S.C. §§ 102(a) and 103(a) over U.S. Pat.No. 6,313,246 (Carter). In particular, the Examiner states:

Carter et al discloses a polymer containing units derived from zwitterionic monomers. The polymer is used as a flocculant and in papermaking. Thus, the claimed invention is anticipated or at the least, is shown by Carter et al.
Paper No. 6 at Page 2.

Applicants respectfully traverse this rejection.

Applicants respectfully assert that Carter discloses a polymer that is prepared by polymerizing zwitterionic monomers and optionally nonionic monomers such that the polymer is net neutral overall. Col. 5 lines 9-11 and col. 6, lines 29-46.

In contrast, the polymer of this invention is composed of one or more nonionic monomers, one or more cationic or anionic monomers and one or more zwitterionic monomers. Therefore, the polymer of this invention is not net neutral, but possesses an overall positive or negative charge depending on whether a cationic or anionic monomer is incorporated. Applicants therefore respectfully assert that this invention is directed to a different polymer than the polymer of Carter. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-20 under 35 U.S.C. § 102(a) over Carter.

Similarly, Applicants respectfully assert that nothing in Carter teaches or suggests modifying the zwitterionic polymer disclosed therein, which was intentionally engineered to be net neutral (col. 2, lines 46 to 54 and col. 6, lines 25 to 29) by converting it into a polymer that is no longer net neutral by incorporating an additional cationic or anionic monomer. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-20 under 35 U.S.C. § 103(a) over Carter.

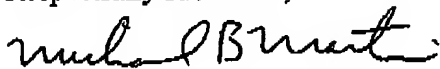
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CONCLUSION

In view of the foregoing, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §§ 102(a) and 103(a) and assert that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,



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